THE HON'BLE SRI JUSTICE C.V. RAMULU

5th June, 2006

W.P.No.25161 of 1998

Between:

K.P. Vijay Kumar

.. Petitioner

And

The District Collector, Chittoor,
Chittoor District & 2 others .. Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.25161 of 1998

ORAL ORDER:

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This writ petition is filed challenging the Order of the 3rd respondent dated 20-8-1995 as confirmed by the 2nd respondent in his Proceedings dated 28-9-1995 and further by the 1st respondent in his Order dated 10-8-1998.

Petitioner was an authorized fair price shop dealer of Shop No.32, Srikalahasti Town, Chittoor district. He was found in possession of fictitious (bogus) ration cards. Therefore, an enquiry was conducted and his authorization was cancelled by the 3rd respondent. Aggrieved by the same, the petitioner filed an appeal and a revision before respondents 2 and 1 respectively, which were dismissed. Challenging the same, the present writ petition is filed.

I have heard the learned counsel for the parties and gone through the impugned Orders and other material made available on record.

Initially, the petitioner's authorization was suspended on the ground that he was in possession of certain bogus cards. Thereafter, an enquiry was conducted after issuing show cause notice and it was found that the petitioner was in possession of certain bogus cards and he also black marked the essential commodities meant for the said bogus cards. Therefore, his authorization was cancelled. Before cancelling the authorization, ample opportunity was afforded to the petitioner. The appeal and revision filed by the petitioner against the Orders passed by the primary authority (Revenue Divisional Officer) were dismissed. All the three authorities concurrently found that the petitioner was in possession of certain bogus cards and caused pecuniary loss to the exchequer of the Government and the irregularity committed by the petitioner is a grave one. No illegality or irregularity has been brought to the notice of this Court for interfering with the

impugned Orders, under Article 226 of the Constitution of India. The writ petition is devoid of merit and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

05-6-2006

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